

Introduced by Senator Sher

February 22, 2001

An act to amend Section 25299.39.1 of the Health and Safety Code, relating to underground storage tanks.

LEGISLATIVE COUNSEL'S DIGEST

SB 526, as introduced, Sher. Underground storage tanks: discharges: data storage.

Under the existing Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989, owners and operators of petroleum underground storage tanks are required to establish and maintain evidence of financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage arising from operating an underground storage tank.

Under the act, the State Water Resources Control Board is required to develop and implement a data base system for storing and retrieving data from cases involving discharges of petroleum from underground storage tanks, including specified information on sites where discharges have occurred.

The act requires that a site included in the system be designated as having no residual contamination if, at the time the site is closed, the board determines that no residual contamination remains on the site.

This bill would provide that the requirement to designate a site as having no residual contamination only applies to a closed site.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25299.39.1 of the Health and Safety
2 Code is amended to read:
3 25299.39.1. (a) The board shall develop, implement, and
4 maintain a system for storing and retrieving data from cases
5 involving discharges of petroleum from underground storage
6 tanks to allow regulatory agencies and the general public to use
7 historic data in making decisions regarding permitting, land use,
8 and other matters. The system shall be accessible to government
9 agencies and the general public. A *closed* site included in the data
10 system shall be clearly designated as having no residual
11 contamination if, at the time the site is closed or at any time after
12 closure, the board determines that no residual contamination
13 remains on the site.
14 (b) For purposes of this section, “residual contamination”
15 means the petroleum that remains on a site after a corrective action
16 has been carried out and the cleanup levels established by the
17 corrective action plan for the site, pursuant to subdivision (g) of
18 Section 2725 of Title 23 of the California Code of Regulations,
19 have been achieved.

